

OFFICE OF AUDITS AND COMPLIANCE

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JAN 09 2009

Robert A. Hawley, Deputy Executive Director
State Bar of California
180 Howard Street, 9th Floor
San Francisco, CA 94105

Dear Mr. Hawley:

The California Department of Corrections and Rehabilitation's (CDCR) Office of Audits and Compliance (OAC) completed a program compliance audit of contract number DJJ.06011 between CDCR's Division of Juvenile Justice (DJJ) and the State Bar. Audit fieldwork was conducted from May 12 through May 23, 2008. The audit covered the period of July 1, 2007 through April 30, 2008.

Enclosed is a copy of the final report. This report includes your response.

Should you have any questions or require additional information regarding the contents of this report, please contact Timothy Adams, Supervising Management Auditor, OAC, at (916) 255-2701.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard C. Krupp". The signature is fluid and stylized, with a large loop at the beginning and a long, sweeping tail.

RICHARD C. KRUPP, Ph.D.
Assistant Secretary
Office of Audits and Compliance

Enclosure

cc: Sharon Beverstock, San Francisco
Jim Pauley, San Diego
Alecia Myers, Heman G. Stark
Harvey Casillas, DJJ Gang Operations Unit
Timothy Adams, OAC

PROGRAM COMPLIANCE AUDIT
STATE BAR OF CALIFORNIA



FINAL AUDIT REPORT

Prepared by:

California Department of Corrections and Rehabilitation
Office of Audits and Compliance

December 2008

STATE BAR OF CALIFORNIA

CONTRACT NUMBER DJJ.06011

Office of Audits and Compliance
Timothy Adams, Supervising Management Auditor
Sharon Candalot, Staff Management Auditor
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AUDITOR'S REPORT

Robert A. Hawley, Deputy Executive Director
State Bar of California
180 Howard Street, 9th Floor
San Francisco, CA 94105

Dear Mr. Hawley:

The California Department of Corrections and Rehabilitation's (CDCR) Office of Audits and Compliance (OAC), Audits Branch completed a program compliance audit of contract number DJJ.06011 between the State Bar and CDCR's Division of Juvenile Justice (DJJ).

Under the terms of the agreement, the contractor agreed to provide a mentoring program for parolees and wards. The VIP Mentors, Inc. (VIP) is a nonprofit organization that provides attorney volunteer mentoring services for juvenile parolees and wards. This contract expired June 30, 2008.

The Audits Branch conducted the audit in accordance with generally accepted governmental auditing standards, including tests of controls and other such auditing procedures considered necessary under the circumstances.

The scope of the audit was limited to program compliance activities for the period of July 1, 2007 through April 30, 2008. Audit fieldwork was conducted from May 12, 2008 through May 23, 2008.

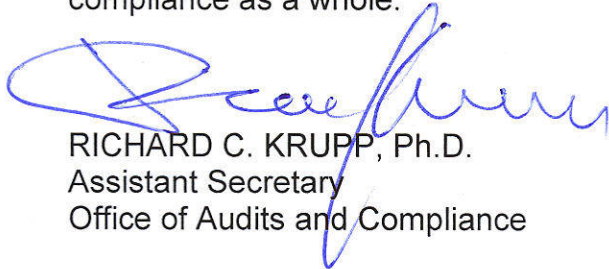
The specific objective of the audit was to determine whether VIP complied with the programming provisions in contract number DJJ.06011.

The procedures performed in the audit included:

- A review of programming files to determine if the mentoring services were rendered in accordance with contract requirements.
- Interviews with parolees and wards receiving mentoring services.

The Audits Branch identified findings in two areas: (1) noncompliance towards meeting required matches and failure to terminate matches according to the contract; and (2) failure to meet contract objectives, inadequate recordkeeping, and inappropriate use of government funds. In addition, there is one observation that encompasses the San Diego Parole program and the Herman G. Stark Youth Correctional Facility (Stark) program.

Observations highlight certain areas that may be of interest to users of the audit report. Observations differ from audit findings in that they may not include attributes (condition, effect, criteria, cause, and recommendation) that are presented in audit findings. Because the audit was limited to selected test periods, the Audits Branch does not express an opinion on the contractor's internal controls or contract compliance as a whole.



RICHARD C. KRUPP, Ph.D.
Assistant Secretary
Office of Audits and Compliance

May 23, 2008 (last date of fieldwork)

EXECUTIVE SUMMARY

CDCR contracted with the State Bar of California under contract number DJJ.06011 to provide mentoring services for parolees and wards in the juvenile justice system, with a focus on wards and parolees who are at risk for gang membership, gang activities or gang-related violence. The State Bar subcontracts with VIP for these services. VIP is a non-profit organization that recruits, matches, and assists parolees and volunteer attorneys for one-on-one mentoring relationships.

The Audits Branch performed a program compliance audit of the State Bar of California for the contract period of July 1, 2007 through April 30, 2008.

The findings and observations are summarized below and are discussed in more detail in the Findings and Recommendations and Observations and Recommendations' sections of this report.

FINDING 1: Failure to Comply with Contract Requirements on Monthly Matches and Terminating Matches

The contract requires 30 mentoring matches for the San Diego parole program. The San Diego program did not fulfill the contract match requirements during the 10-month audit period. Additionally, the San Diego parole's Program Director did not comply with the contract's procedures for terminating matches; thus, the number of mentoring matches reported to DJJ each month was overstated.

VIP'S RESPONSE:

VIP agrees with the finding regarding the average number of monthly matches. VIP agrees with some of the findings regarding the match termination.... each situation must be addressed on a case-by-case basis. VIP needs to better document any on-going relationships with parolees during this time period.

THE AUDITS BRANCH'S COMMENTS:

The Audits Branch agrees to assess on a case-by-case basis, provided there is sufficient documentation to substantiate the claims made by the program director when there are deviations from the contract requirements.

FINDING 2: Failure to Meet Contract Objectives, Inadequate Recordkeeping, and Inappropriate Use of Government Funds

The San Diego parole program did not meet the contract's requirements for recordkeeping at the San Diego office. The program director in San Diego took prospective matches to a restaurant for their introduction. As part of the program director's recruitment process, prospective attorneys were entertained at restaurants. While this practice may be acceptable for private industry, these expenses are not an appropriate use of government funds.

VIP'S RESPONSE:

VIP disagrees with the findings of inappropriate use of government funds....VIP recognizes and agrees that these meetings should not take place at expensive restaurants....contrary to the finding in the report; VIP does not use State funds for the purpose of entertaining attorney mentors. Typically, these costs are assumed solely by the attorney mentors. VIP agrees with the Audits Branch's recommendations as stated (on page 11) with one exception. If the presentation is being made to a large group or to an attorney for the purpose of recruiting mentors, a sign up sheet is not practical in this environment.

THE AUDITS BRANCH'S COMMENTS:

The use of funds for entertainment is moot. The Audits Branch did not perform a fiscal audit of this contract since the contract was canceled. However, in a subsequent audit of VIP, the executive director of VIP informed the Audits Branch she recently learned the match entertainment costs are not charged to the State. Nevertheless, the parole agent involved in the DJJ audit coupled with a long time CDCR employee agree that the entertainment expenditures by the San Diego program are inappropriate.

The Audits Branch will agree to the non-use of sign in sheets during attorney recruitment events, provided there is adequate documentation supporting the event and its participants.

OBSERVATIONS:**A. San Diego Paroles****Interviews with Parolee Mentees**

During the interviews, the mentees expressed that they did not have anything in common with the mentor, the mentor was too busy to spend time with them, and that the mentors were attorneys. The mentees would have preferred to have a mentor in a profession of their interest. Positive responses from the mentees were that the VIP mentoring program was great, and the mentor was non-judgmental.

VIP'S RESPONSE:

VIP believes some of the questions and highlighted responses are subjective and not relevant to VIP's stated program goals and objectives.

THE AUDITS BRANCH'S COMMENTS:

The Audits Branch's discussions with DJJ personnel, parolees, and wards incorporated many different facets of the VIP program. The Audits Branch did not lead or attempt to steer comments ascertained by the Audits Branch into a particular outcome. The Audits Branch reported a common theme told to them by various participants and CDCR personnel. The Audits Branch presented this as an observation and not a finding.

Targeting Obstacles to Personal Success (TOPS)

The contract provides funding for scholarships to be awarded to deserving mentees. The program director stated that the funds came from private donations. In addition, scholarship information was not provided to all of the parolee participants.

VIP'S RESPONSE:

The program director misstated that TOPS scholarships come from private donations. This statement is inaccurate and the program director has now been informed that the DJJ contract provides for TOPS scholarships.

THE AUDITS BRANCH'S COMMENTS:

This issue has been resolved.

B. Stark**Recruitment Problems**

The facility has strict policies for volunteer training, security clearances, and safety and security of the facility; this coupled with the remote location of the facility, makes it difficult to recruit law students or attorneys as mentors.

Inadequate Recordkeeping

The program files are kept in accordance with contract language; however, the files contained limited information.

VIP'S RESPONSE:

The recruitment problems are true; however, despite these difficulties, VIP achieved most of its contract goals during the audit period....VIP agrees with the auditor's conclusion that record keeping needs to be improved...VIP agrees with the Audits Branch's recommendations with the exception of circulating a sign-in sheet for attorney recruitment presentations or very large groups, as it is not practical in these environments.

THE AUDITS BRANCH'S COMMENTS:

The contract does not state goals, the contract has requirements. The Audits Branch believes VIP's failure to recognize the difference between a goal and requirement is a problem in and of itself. VIP's willingness to make changes is moot as the DJJ has elected not to continue this program.

C. General Observation**Gang Member Participation**

The primary objective of this contract is to provide mentoring matches for gang members or those at risk for gang related activities. Based upon statistics, only 33 percent of the participants at the San Diego Parole program and 38 percent of the Stark participants have been identified as having validated gang affiliations.

VIP'S RESPONSE:

VIP is willing to work with DJJ staff to focus more specifically on serving validated gang members if that is the contract manager's preference.

THE AUDITS BRANCH'S COMMENTS:

No additional comments for this issue.

VIP included a corrective action plan with their response that addressed each finding and observation. However, a corrective action plan is not needed as the contract expired and DJJ has elected not to renew it.

BACKGROUND

The VIP organization was started by attorneys in 1972. The program began under the sponsorship of the State Bar of California; however, in 1991 VIP became a separate entity. VIP is the only organization in California that recruits and matches attorneys with parolees, or those soon to be released on parole.

According to the VIP's website, VIP combines the humanitarian goal of salvaging human lives with the social and economic benefits of building better and safer communities.

VIP volunteers offer one-on-one mentoring with juveniles to build confidence, provide social activities and recognition events, and award scholarships or stipends through the TOPS program.

Contract number DJJ.06011 began on July 1, 2006. Mentoring services were contracted for the following areas: Northern Youth Correctional Center, the Bay Area, San Diego parole, Stark, the Los Angeles region, and the Southern Youth Correctional Reception Center and Clinic. The mentoring services are to facilitate volunteer attorney involvement in the criminal justice system. It encompasses juvenile offenders on parole and in youth correctional facilities of DJJ who are at risk of gang membership, gang activity, and gang related violence.

Subsequently, the DJJ performed a review of services being rendered and determined that CDCR was paying for services which were not being rendered. On June 25, 2007, DJJ eliminated services in all areas, with the exception of the San Diego parole program and Stark. Funding for the two programs was extended with amendment 1, which covered the period of July 1, 2007 through June 30, 2008. The contract ended on June 30, 2008, and has not been renewed.

FINDINGS AND RECOMMENDATIONS

FINDING 1: Failure to Comply with Contract Requirements on Monthly Matches and Terminating Matches

Monthly Match Requirements

San Diego's program director stated that there were 20 active matches as of May 13, 2008. The contract requires at least 30 matches each month. Per review of the open program files, the number of matches meeting the contract's requirements was less than the program director's claim of 20 active matches.

In the table below, column (a) shows the number of matches the program director reported to DJJ each month. Columns (b) and (c) show the parolees and mentors waiting to be matched.

The data displayed in column (d) was obtained from the program director's in-house match hour report. The report showed the number of hours the mentor spent with the mentee. The contract states for a match to be valid, the mentor and mentee must meet between three to five hours each month. The auditors calculated the number of matches that had at least three hours of contact reported. The last column (e) shows the months in which the contract requirements were not met.

Month Fiscal Year 2007/08	a Monthly Statistical Sheet	b Parolees Waiting to be Matched	c Mentors Waiting to be Matched	d Match Hour Report	e Meet Contract Requirements for the Month Y/N
July	28	4	3	10	N
August	28	2	2	12	N
September	30	1	0	13	N
October	29	1	2	11	N
November	27	1	4	14	N
December	24	0	2	12	N
January	24	1	2	12	N
February	23	1	1	9	N
March	23	2	2	6	N
April	22	0	4	6	N
Totals	258	13	22	105	

The San Diego program counted matches that did not meet the three to five hours per month minimum requirement. For example, 28 matches were reported for the month of July 2007. Documentation only supports 10 matches meeting or exceeding the 3 hour minimum requirement. In April 2008, 22 matches were reported for the month; however, the match hours' report showed only 6 matches that met or exceeded the 3 hours minimum requirement. Of the 10 months reviewed, VIP reported an average of 26 active matches (258/10); however, the

auditor's calculations reflected an average of 11 (105/10) active matches meeting the minimum contract requirement of 3 hours of contact per month.

In addition, there was no documentation to substantiate the monthly hours reported. The program director's system of reporting is to speak with the attorney or the parolee each month, and record notes in the program file.

Below are examples of documentation found in the files. Each file had similar information. The activities were not substantiated, as there were no sign-in sheets, no copies of emails between the attorneys and VIP, or ticket stubs signed and dated by the mentors and mentees.

Parolee # 1:

5/16 Close touch with Joe (his mentor's name)/working 2 jobs ship cleaning/YMCA
5/21 Doing great
5/24 Left message on machine re: Padre's tix
5/26 Delivered Padre's tix to Alonso (didn't see @ game)

Parolee # 2:

8/9 Sent email- Monica/ Padres
9/17 Rec'd email- Ana had lunch with Monica
10/4 All ok
11/5 Exchanged emails- All ok
5/7 Good long talk ~ she stays in close touch w/Monica by email

VIP receives complimentary tickets to various museums, comedy clubs, and professional sporting events in San Diego, which the program director doles out to mentors and mentees at his discretion. However, the auditors were unable to determine if the tickets were used by the mentors and mentees.

No explanation was provided on why there were mentors or parolees waiting to be matched. According to a parole agent with DJJ's Gang Operations unit, there are 161 parolees in the San Diego region, of which 23 are reported as absence without leave, and four are in confinement. Nevertheless, there are 134 (161-23-4) parolees available for this program. VIP had a four percent match rate as of April 2008 ($6 \div 134$).

The program director provides all new attorneys with a handbook entitled, "VIP Mentors, A Guide for the Attorney Volunteer." Page 1 starts with a section entitled, Commitment. The second sentence states, "Attorney volunteers are not required to devote a minimum numbers of hours to the program or their match." The contract specifically states that mentors are required to have three to five hours contact with their mentees each month. The handbook produced by VIP is in direct violation of the terms of the contract.

Termination of Matches

The contract states, "A match is active until terminated. Termination will occur when:

- a. Either party states a desire to terminate the match.
- b. No information is available from either party during the most recent three-month period. If the Program Director has a valid reason to keep the match active, a request to extend time shall be made in the match status report submitted to the contract manager.
- c. Parolee discharges from parole, except that if there is continued contact, a match may remain active for up to three months after discharge."

Nine files were reviewed. Three had valid termination dates. The other six should have been terminated at an earlier date, as there was no contact within the three month period following the parolees' discharge (as shown below).

File	Discharge Date	Information in File	Termination Date	Valid Termination Date Y/N
1	5-16-07	Nothing to substantiate	8-07	N
2	7-19-07	Nothing to substantiate	10-07	N
3	7-19-07	Nothing to substantiate	10-07	N
4	8-27-07	Nothing to substantiate	11-07	N
5	9-9-07	Continued contact	12-07	Y
6	9-12-07	Parolee- file not available Attorney- tried to contact	12-07	N
7	9-28-07	Continued contact	12-07	Y
8	11-16-07	Nothing to substantiate	2-08	N
9	12-15-07	Continued contact	3-08	Y

The audit identified four instances of terminated matches that were misrepresented.

1. The ward paroled on January 24, 2005. The parolee was in and out of jail beginning in March 2005. He was arrested in February 2006 and remained in custody at Ironwood State Prison until discharged on July 19, 2007. The file showed no proof of contact between mentor and mentee from May 2007 to discharge; however, the match was not terminated until October 2007.
2. The parolee was in custody in Ventura from December 2006 until discharged in February 2008. The match was officially terminated in May 2008. The file showed two attorneys were mentoring this parolee; thus, VIP took credit for two ineligible matches.

3. The parolee was matched with two attorneys:

Attorney #1 from April 2007 to December 2007

Attorney #2 from September 2007 to December 2007

Attorney #1 moved out of State in June 2007. On August 31, 2007, the log states that the attorney was, "willing to stay in touch." On September 7, 2007, the program director left a message for the attorney, but no other information was recorded. On December 3, 2007, the program director terminated the match. VIP took credit for this match, which had no recorded contact for six months.

VIP also took credit for the second match with attorney #2, from September 2007 through December 2007.

4. The parolee was in custody from May 2007 through the match termination date in April 2008. The parolee log states that the mentor wrote the parolee a few times. The mentor log shows that VIP gave the mentor the parolee's address in June 2007. In August 2007, the program director gave the mentor San Diego Padres tickets for the match; however, the parolee was in custody during that time. VIP spoke to the mentor in October 2007 and January 2008, and the match was not terminated until April 2008 (this example is not included in the previous table).

VIP Mentors were taking credit for matches that did not occur.

CRITERIA:

Per contract number DJJ.06011, Amendment 1, Exhibit A-1, 1: "The specific objective is to maintain at least 30 matches a month in San Diego."

Per contract number DJJ.06011, Amendment 1, Exhibit A-1, page 3: "Mentors are encouraged to stay in regular contact with their mentees at least once a week by phone and required to meet with their mentees between three to five hours on a monthly basis."

Per Government Code, Section 13401, 3(b): "All levels of management of the State agencies must be involved in assessing and strengthening the systems of internal accounting and administrative control to minimize fraud, errors, abuse, and waste of government funds."

Per contract number DJJ.06011, exhibit A-1, page 3: "Termination will occur when:
a. Either party states a desire to terminate the match. b. No information is available from either party during the most recent three-month period. If the program director has a valid reason to keep the match active, a request to extend time shall be made in the match status report submitted to the contract manager.
c. Parolee discharges from parole, except that if there is continued contact, a match may remain active for up to three months after discharge."

RECOMMENDATIONS:

- Require all attorneys to accurately document the number of hours they spend with their mentees. Indicate if the contact was by telephone or in person.
- Revise the Guide to Attorney Volunteers' handbook to reflect contract mentoring requirements.
- Provide accurate mentoring match information to DJJ each month.
- Place sufficient, reliable, and useful documentation in the parolee's file.
- Retain emails or other correspondence regarding matches in the parolee's files.
- Require the mentor and mentee to sign and date the back of ticket stubs to verify their attendance.
- Review and adhere to contract requirements for terminating matches.
- Report accurate numbers of matches to DJJ.

FINDING 2: Failure to Meet Contract Objectives, Inadequate Recordkeeping, and Inappropriate Use of Government Funds

Failure to Meet Objectives

The scope of work in the contract has ten objectives. As of April 2008, the San Diego program was not in compliance with the following objectives:

Objective	Brief Description	Required	Still Needed	Minimum Present Y/N
2	Community education/mentor recruitment	10	4	Y
4	Confidence building	5 *	1	N
7	3 Strikes laws	2	1	N

* The PD mistakenly has 4 "Required" but the contract states 5; thus, he has 2 "Still Needed."

The San Diego program director claims to have met or is nearing completion of these objectives; however, the audit could not substantiate this claim. The program director records data related to monthly objective activity, and reports the data to DJJ each month. For example, in October 2007 the report stated in part: ". . . staff and three mentees spoke to 7th and 8th grade students at Memorial Academy," which was supposed to meet objective number 2. However, the mentees names are not listed; there are no sign in sheets, a letter of thanks from Memorial Academy, or any other documentation to verify this took place. Additionally, this objective requires a minimum number of four people to attend. VIP was unable to prove more than four people attended.

In February 2008, the program director took credit for the following public presentations in meeting objective number 2:

February 12, 2008 Metro Y Change

February 26, 2008 Luce, Forward, Hamilton, and Scripps

VIP was unable to provide supporting documentation, names, and sign in sheets.

In order to comply with objective number 7, the program director stated that a presentation was held on December 12, 2007, with two attorneys. However, there is no sign-in sheet, nor could the program director recall which parolees attended. The auditors were unable to verify if the two attorneys were mentors, due to lack of documentation.

Of the seven parolees interviewed, one parolee said he had heard about a three strikes talk, but did not attend. The remaining six parolees had no knowledge of such a presentation.

Inadequate Recordkeeping

The contract states, "Parolees participating in the VIP Mentors program shall have a file established in the parole office for a point of reference." The program director keeps the active matches under the attorneys' names, rather than the parolees' names. The active parolee logs are maintained in a file by the parolee's parole agent's name. The inactive attorney files contain logs for the matches in which they participated. The parolee files are not maintained in accordance with contract requirements.

Inappropriate Use of Government Funds

The program director will introduce a potential match over a meal in a restaurant. In addition, prospective attorneys are interviewed over lunch or dinner in a restaurant. Mentees honored at an awards banquet were taken to dinner by the program director, per the program director's monthly expense report. The contract states a match begins after two face-to-face meetings. It does not specify the meetings must take place in a restaurant.

Per review of the program director's expense reports, the program director entertained prospective matches at expensive restaurants around the San Diego area. The DJJ parole agent present during audit fieldwork stated that these expenses appear to be an inappropriate use of government funds.

CRITERIA:

Per contract number DJJ.06011, amendment 1, page 1, lists the requirements to meet objective number 2: "Community education and mentor recruitment presentations to civic groups, service clubs, law firms, schools, commissions, governmental entities (other than DJJ) and other such groups. The specific objective is at least ten presentations a year to no fewer than four people."

Per contract number DJJ.06011, amendment 1, page 1, lists the requirements to meet objective number 4: "Confidence building and leadership activities for mentees such as opportunities for mentees to speak to civic groups, students, pre-parole groups in correctional settings, and youthful delinquents. Specific

objectives are participation by some mentees in at least five mentor or mentee recruitment or community presentations a year.”

Per contract number DJJ.06011, amendment 1, page 1, lists the requirements to meet objective number 7: “Presentations to mentees and other DJJ parolees by attorneys on such subjects as three strikes, laws particularly affecting juveniles, family law including custody issues, rights of renters and immigration law with a focus on understanding legal rights and consequences in non-technical terms. The specific objective is at least two street law or similar presentations a year.”

Per contract number DJJ.06011, amendment 1, page 1, 9: “Activities, including social events, which bring together mentors and parole personnel to exchange information and share experiences. The specific objective is at least one a year.”

Per contract number DJJ.06011, exhibit A-1, page 2, 2: “Parolees participating in the VIP Mentors program shall have a file established in the parole office for a point of reference.”

Per Government Code, Section 13401, (b), 3: “All levels of management of the State agencies must be involved in assessing and strengthening the systems of internal accounting and administrative control to minimize fraud, errors, abuse, and waste of government funds.”

RECOMMENDATIONS:

- Review the contract in its entirety.
- Submit a detailed narrative to DJJ each month for all events, talks, or presentations held. Include the date, time, location, objectives being met, names of presenters and attendees.
- Have a sign-in sheet available for each event or presentation, to be signed by all attendees. Submit a copy of the sign-in sheet with the narrative. Retain the original in an events file for documentation purposes.
- Keep a separate file for each objective, and include all pertinent documentation.
- Notify all parolees of presentations, such as those involving the three strikes/street law.
- Retain correspondence received (such as a thank you note from a high school) related to the above activities in the appropriate file.
- Maintain a record keeping system that complies with contract requirements.
- Funds should be used with discretion and for the betterment of the parolee participants.

OBSERVATIONS AND RECOMMENDATIONS

OBSERVATIONS:

A. San Diego Paroles

Interviews with parolees/mentees

During the interviews with the mentees, the following comments were made:

- My mentor is very busy.
- I was unable to meet with my mentor due to school, work, or family responsibilities.
- I have nothing in common with my mentor.
- The VIP Mentor program is great.
- My mentor is non-judgmental.
- My mentor paid for my car insurance.

The Audits Branch asked each mentee if the program would be as successful or more helpful to the mentee if the mentors were not attorneys; rather, someone in a profession such as firefighter or construction worker. All of the mentees responded positively, stating it did not matter if the mentor was an attorney. They stated it would be more beneficial to have a mentor in a profession the mentee is interested in, which would be helpful in obtaining career planning advice.

The auditors were unable to garner useful information from the seven mentees that were interviewed, as they appeared to have been coached as to what to say. For example, the auditors heard identical statements from the mentees, such as, “my phone calls with my mentor lasted five to seven minutes.”

The program director’s philosophy is to provide a quality match, not a quantity of time. Based on the mentee interviews, some of the matches did not adhere to the program director’s philosophy.

CRITERIA:

Per contract number DJJ.06011, Amendment 1, exhibit A-1, page 3: “Mentors are encouraged to stay in regular contact with their mentees at least once a week by phone and required to meet with their mentees between three to five hours on a monthly basis.”

RECOMMENDATIONS:

- Interview mentees to evaluate the quality of the match.
- Use individuals from other professions as mentors.

- Communicate with the mentees and mentors to monitor and evaluate the quality of the match.

TOPS

The program director stated that VIP receives funding for TOPS from private donations. TOPS is a component of the contract, and as such, it is wholly funded by the DJJ. The contract is specific in how this money can be used. One possible use would be for tattoo removal. However, during the interviews with the parolees, one parolee had made an inquiry about tattoo removal. The mentee said he was informed by the program director that TOPS was no longer available for tattoo removal.

Another parolee from the San Diego office was awarded two scholarships during the last fiscal year. Even though the contract does not prohibit an individual from receiving TOPS' money more than once in a fiscal year, the funds should be used to assist more parolees.

Out of the seven parolees interviewed:

- Two had received TOPS awards.
- Two had some knowledge of the award but did not apply for it.
- Three had no knowledge of TOPS.

CRITERIA:

Per contract number DJJ.06011, Amendment 1, Goals and Objectives, page 1, 6: "Targeting Obstacles to Personal Success (TOPS) stipends and scholarships for mentees awarded to remove obstacles, resolve crisis and assist during emergencies....examples of appropriate uses include college fees and textbooks, vocational tools, tattoo removal....the specific objective is at least \$800 a year...with each award limited to a maximum of \$300."

RECOMMENDATIONS:

- Adhere to contract language regarding TOPS.
- Allow TOPS funding for tattoo removal.
- Ensure all parolees are aware of TOPS.

B. Stark

Recruitment

Due to Stark's remote location in Chino, VIP has a difficult time recruiting attorneys and law students as mentors. Prior to becoming a mentor at a correctional facility, the following requirements must be met:

- Completion of the live scan process.

- Attend an eight hour volunteer training class.
- Obtain a picture identification badge from Stark.

Each of the above requires trips to the facility, and according to the program director, the hours to complete these tasks are not flexible. As a result, the process for becoming a mentor to some law students is prohibitive. The parole agent present during the audit stated he would look into alternate times and locations for the live scan and volunteer training.

RECOMMENDATIONS:

- Streamline the clearance process.
- Hold volunteer training on a day that would accommodate the volunteer mentors.

Record Keeping

The program files at Stark were kept in accordance with contract requirements. However, some files were not fully utilized, as information contained within the files was limited. Many of the files contained only the application to the program and a log of group day attendance.

The program director does not use sign-in sheets for group days, recognition events, or community education activities for substantiating activities.

CRITERIA:

According to the International Standards for the Professional Practice of Internal Auditing, the internal controls over record keeping and reporting must be adequate and effective in order to provide reliable information for decision making and compliance with external requirements.

RECOMMENDATIONS:

- Maintain documentation of dialogues between the program director and the mentor, correspondence between the program director and the mentees, and any significant occurrences at the group day meetings, and include this information in the mentees' files.
- Use sign-in sheets for group days, recognition events, and community education/recruitment activities.
- Include a narrative of significant activities with the monthly report submitted to DJJ. Include specific information on all significant events.

C. General

Gang Member Participation

The contract is under the oversight of DJJ's Gang Operations Unit. The majority of the mentees in this program are not validated gang members (validated by the DJJ), as shown in the data below for the month of February 2008. Column a shows the number of valid matches (more than 3 hours per month as reported by the programs). Column b shows the number of validated gang members. Column c shows the percentage of gang members participating in the mentoring program.

	a	b	C
	Number of Matches 3-5 hours	Number of Validated Gang Members	% of Gang Members (b ÷ a)
San Diego Parole	9	3	33 %
Stark	13	5	38 %

The program directors did not provide information on what efforts were being made to solicit gang members for participation in the mentoring program.

CRITERIA:

Per contract number DJJ.06011, exhibit A, page 1, regarding recruitment of gang members: "For the purposes of facilitating volunteer attorney involvement in the criminal justice system as it encompasses parolees . . . and wards . . . who are at risk of gang membership, gang activity, and gang-related violence."

RECOMMENDATIONS:

- The program director should work closely with DJJ staff to identify validated gang members. VIP should actively recruit such members for participation in the mentoring program.
- The program director should document their efforts for recruiting gang members into the mentoring program.

GLOSSARY

CDCR	California Department of Corrections and Rehabilitation
DJJ	Division of Juvenile Justice
OAC	Office of Audits and Compliance
Stark	Heman G. Stark Youth Correctional Facility
TOPS	Targeting Obstacles to Personal Success
VIP	VIP Mentors